



Town of Tyngsborough  
Planning Board  
25 Bryants Lane,  
Tyngsborough, Massachusetts 01879-1003  
Office: (978) 649-2300 ext 115

g Board Meeting Minutes March 15, 2007

Attachments:

1-Meeting Agenda **APPROVED**

Members Present:

Caryn DeCarteret, Chairman  
Darryl Wickens, Vice Chairman  
John Forti, Secretary  
Joyce M. Harrington (Clerk)  
Jesse Johnson (Consulting Engineer)

Members Absent:

Steve Nocco, Treasurer

To take action on agenda items (see attached agenda) and any other business brought before the Board

7:05PM 1 Preliminary Subdivision Plan 93 Lakeview Ave, St Mary Lane Presented by Pat Flaherty  
Surveyor & Civil Engineer

The Board reviewed the open items to be addressed:

#### CONTENTS OF PRELIMINARY PLAN (Section 5.3 of the Subdivision Rules and Regulations)

1. Section 5.3.13 requires that hydrological calculations be submitted for the proposed drainage system. The applicant will need to submit the calculations or ask for a waiver from this requirement.

Drainage calculations have been submitted. A cursory review regarding format and content of the calculations was performed in order to give guidelines for generating calculations for a definitive subdivision submission. For a Definitive submission please submit the following:

- The Pre- and Post- subcatchment areas should be analyzed for the entire area proposed to be disturbed
- Flow paths should be shown on the drainage maps for each subcatchment in order to verify the time of concentration
- Pre- and Post- stormwater runoff should be analyzed along the Lakeview Avenue right-of-way, the northerly property line, and the edge of wetlands.
- The rainfall shall be analyzed as a Type III 24-hour storm
- The Time of Concentration for each subcatchment shall be determined by breaking up the flow path segments according to sheet flow, shallow concentration flow, change in slopes, and changes in surface types.
- The proposed catch basins should be analyzed as ponds in order to determine if the inlet grates will overflow
- The results of the drainage calculations should list compliance or non-compliance with Massachusetts Stormwater Guidelines and Policies.

#### DESIGN STANDARDS (Section 7 of the Subdivision Rules and Regulations)

1. Section 7.18.4.5 states that streets shall be laid out so as to intersect as nearly as possible at right angles. The proposed roadway appears able to be designed to intersect at a right angle to Lakeview Avenue. Please explain/justify why the proposed roadway is designed at an angle less than 90° and why the irregular right-of-way near the entrance is required.

Addressed.

2. The catch basin proposed at the end of the cul-de-sac should be moved southerly, away from the proposed snow storage area, to prevent potential clogging during snow maintenance.  
Addressed.
3. The processed gravel proposed for roadway base should not have stones larger than 3 inches. The proposed roadway profile showed 4 inches.  
Addressed.
4. There is no proposed shoulder along the northern edge of the roadway. Proposed grading should reflect a shoulder and/or guard rail installation for safety considerations.  
Addressed.
5. A hydrant should be located at the end of the proposed water line. The hydrant proposed at STA 1+90 may be omitted if the Water Department and Fire Department deem acceptable.  
Addressed.
6. The roadway profile shows PVC for proposed drainage pipe material. Only ADS or RCP will be acceptable.  
Addressed.
7. Approximately 95 feet of roadway is proposed to direct stormwater runoff toward Lakeview Avenue. Proposed roadways should not direct new runoff toward existing town roads. The proposed roadway grade should be modified or stormwater controls provided that will mitigate the increased runoff near the entrance.  
This issue will be analyzed further after drainage calculations have been submitted during the Definitive stage that show the potential impact of the current design. The applicant should be prepared to mitigate any additional runoff if deemed excessive.

All issues have been addressed by the Mr. Flaherty.

Motion: D.Wickens to approve the Preliminary Subdivision Plan for St Mary Lane dated January 31, 2007 revision date of March 12, 2007 and to approve the following requests for wavers.

1. Waive roadway width of 28 ft to 24 ft.
2. Waive Street sideline minimum radius of 20 ft to zero ft on the northerly side of St Mary Lane.

In accordance with section 1.16.14 of the Zoning By-Law, the Planning Board finds that the proposed use:

1. Is in harmony with the purpose and intent of the By-Law
2. Will not be detrimental or injurious to the neighborhood in which it is to take place
3. Is appropriate for the site in question.
4. Complies with all applicable requirements of the By-Law.

Second: J.Forti

**Motion Carries:** 3-Yes, 1-Absent

#### 7:35PM Temporary Independent Living Quarters 14 Bay State Road – Doreen St.John

The applicant submitted a letter of continuance.

Motion: D.Wickens to accept the letter of continuance and continue the hearing to April 19 at 7:05PM

Second: J.Forti

**Motion Carries:** 3-Yes, 1-Absent

#### Administrative 6 ANR application Richard Gilbert – 8 Ducharme Lane – Pete Nicosia

The Board signed the application.

#### Administrative 4 ANR Plan Sequoia Drive / Coburn Road – Steven Caggiano – Peter Nicosia

The Board denied the ANR application see March 1, 2007 Minutes.

Administrative 1 ANR – Mike Schena 33 Ingalls Road – sign Mylar

Motion: D.Wickens to approve the ANR Plan prepared by Cuoco & Cormier entitled 33 Ingalls Road plan dated January 30, 2007.

Second:

**Motion Carries:** 3-Yes, 1-Absent

Administrative 8 O River Road- Mark Berell

Mr. Berell withdrew at this time. Concern citizens and abutters came, and are not in favor of building a house on the parcel of land.

Administrative 9 Temporary Independent Living Quarters application 21 Jamie Way-Mahmound

Mr. Mahmoud did not appear before the Board.

Administrative 2 Beaver Run “South” Tim McCarron and Ted Doucette from Polaris Engineer.

Mr. McCarron requested that the Board allow a change to allow construction of the bridge using material other than proposed on the original plans. The approved plans include a Conspam Bridge using precast concrete bridge units. Mr. McCarron is requesting to construct a bridge made of steel or aluminum. The Board request Mr. McCarron to meet with Conservation due to the wetland crossing, Mr. McCarron agreed and will come back to the Board at a later date.

Administrative 3 Special Permit application – 77 Middlesex Road – Sandra Ivos

The Board signed the application and set the hearing date to April 19, 2007 @ 7:35PM

Administrative 5 Preliminary Review/TJ Maxx Plaza-440 Middlesex Road-Peter Nicosia

The Board reviewed the open items to be addressed.

1. The eastern-most building on Lot 1 will need a variance from the ZBA for a front yard setback. The proposed setback is 54.85' and the requirement is 75'. *Filed with ZBA*
2. The minimum open space proposed for each lot should be listed. Lot 3 appears to need a ZBA variance from the 25% requirement. *Filed with ZBA.*
3. The front yard setback for Lot 3 is incorrectly shown as 80'. It is 79.04' according to the plans. *Will address.*
4. The private roadway being proposed should be given a name. *Plaza Drive.*
5. The parking requirements and proposed parking ratios should be given for each lot. *Will add to plans.*
6. The number of handicap parking spaces required for each lot should be given and confirmed as adequate. *Will add to plans.*
7. In the Reciprocal Easement Agreement, under Section 2.b. Parking Easement, the language should include maintenance, repair and replacement of landscaping and curbing. *Will address.*
8. References are made in the Reciprocal Easement Agreement to Parcel A and Parcel B only. The plan shows Lots 1-3 and Road. The continuity between the Plan and the Agreement should be verified. *Will address.*

Letter from the Fire Chief Tim Madden.

1. The access Road needs to be maintained for safe apparatus response.
2. The fire pump house is the main water source for fire protection for entire parcel. The pump house is tied into the main fire alarm panel in the TJMaxx building. There needs to be an agreement for compliance inspection, testing, and emergency access between the owner.

Mr. Nicosia said his applicant will hook up to water and a centralized meter.  
Vice Chairman D.Wickens requested a traffic study.  
See attached letter from David Denommee Water Department.

#### Administrative 7 Special Permit application – Tucard, Industrial Way – Pete Nicosia

The Board reviewed the open items to be addressed.

1. A zoning table should be included on the plan indicating compliance status. Will include into plans.
2. A significant amount of impervious surface is proposed. Mitigating drainage will be difficult. The drainage design will be carefully scrutinized during the formal submission process. Will address.
3. The project appears to need ZBA variances for front yard setback and open space. Will address with ZBA.
4. A buffering strip of 15' is required along the side and rear lot lines as stated in Section 3.13.33 of the Zoning Bylaws. This requirement has not been met. Will address.
5. Proposed landscaping and lighting shall be shown on the formal site plan submittal. Will be on final plans.
6. A van accessible parking space should be added for the proposed office/storage building. The proposed van accessible space location would require crossing traffic to reach the office/storage building. Will address.
7. The building floor spaces listed in the parking calculations are confusing. They do not match the amounts listed on the plan view. Additionally, the number of proposed spaces is less than the number of spaces indicated as required. Will add to final plans.

Chairman DeCarteret requested a change in queuing to allow for 10 cars and 3000 sq loading area for deliveries. The applicant agreed.

Building Commissioner, Mark Dupell comments

1. The Board of Appeals variance would be required for parking spaces.
  2. Site plan shows no buffering and screening as required.
- The applicant will address these issues.

#### Administrative 11 Bills

The Board signed the following bills – David E. Ross

#### Administrative 10 Minutes

Motion: J.Forti to approve the February 15, 2007 Minutes as written

Second: DWickens

Carries: 3-Yes, 1-Absent

#### Discussion:

Mark Pease gave his resignation letter to the Board on March 13. The Planning Board Clerk will write a letter to inform the Board of Selectmen.

Motion: J.Forti to adjourn at 9:45PM

Second: D.Wickens

Carries

Minutes taken and respectfully submitted by  
Joyce Harrington, Clerk